92. 214-92

G. R. S. IX-5]

Previous references.

1891-92

~~192~~ .

(L.R.)

File No.

Serial Nos.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 - 6

Part B for 1st half of 1892

SUBJECT.

Claim of Shankaraiah for the appointment of Shanbogue of Bendekere, Arsikere Taluk

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To Shankaraiya, Bendekere, Arsikere Taluk.

As. no. 323 dated 1-12-1892

92 no. 6 | The Petitioner is referred to the Deputy Commr to whom orders have been issued.

Law Secretariat S. Secy

WD 2233--G PB--20,000--11-6-26

R. 1571

Precis of papers connected with the appeal of Shankara of Bendekere, Sirsikere Taluk.

Siddappa, uncle of the Appellant held the office of Shanbhog of Bendekere Shirka till 1880, when he was convicted of misappropriation of Govt money and was dismissed from the office. His son Krishnappa, a minor, and afterwards Siddappa himself appeared before the Amildar (of the late Harnahalli Taluk) and prayed that Krishnappa might be appointed Shanbhog, a gumasta being

being employed by Cashy. &c
&c the work till he became
competent. On the Amildar's
report, the Deputy Commissioner
passed Order No. 137, dated
8th September 1881 to the
effect that Siddappa
and his heirs forfeited their
claims to the office for the
offence committed by him.

2. The Amildar
temporarily appointed
one Bagade Narayappa
to the office, in anticipation
of the Deputy Commissioner's
sanction and reported
the matter to him. (Vide
his Report No. 1798 dated
8th Nov. 1881.) In sanction-
ing the above appointment,
the Dy. Commissioner directed

the

x vide Copy 28
Note Page 35

the Amildar to make an
enquiry about the claims
of huckdars and report.
Accordingly the Amildar
reported that one Putta-
shankaria, brother of Sidda-
ppa appeared before him but
he was illiterate, and that
he would further report
if competent huckdars
appear before him. (S. B. S.

3. In December 1882,
the said Puttashankaria
represented to the Deputy
Commissioner that, after
Siddappa, he was the
proper huckdar, that he
did not put forth his
claims in the office before,
as Siddappa's son was
trying to get it, that
the Deputy Commissioner
order

Order No. 127 quoted above did not affect him as he and Siddalappa had been divided long before the latter forfeited the claim to the office, and that therefore he ~~may~~ might be appointed in place of the non-hereditary Kalanappa. He then addressed the Sub. D.C. Officer of Hassan, who issued Order No. 1103 dated 28th March 1879 to the Amildars that Kalla-Shantaia should be informed that his claims would be considered if he would qualify himself to the office of Planking; and that Kalanappa should continue in the office till some competent hereditary could present himself.

4. On the 3rd September 1884, Mr. T. Ananda Rao, the then Sub-Dy Collector issued Order No. 57 to the Amildar of Adoni directing him to report whether Ramappa the temporary Shanbhog of Bendekere was willing to give security and get himself confirmed in the post. Accordingly Ramappa gave security for Rs 200 and thereupon the Sub-Dy Collector confirmed him as Shanbhog of Bendekere Phirka. (Vide his Order No. 31 dated 2 8th January 1885.)

5. On 1888, one Ramanna, Widow of Chitta, Siddappa's

Siddappa's younger brother addressed the Dewan praying that his son Shankaria (the present appellant) might be appointed to the hereditary office of Shanbhog of Bendekere, a jinnasla being employed for the present, if necessary. The petition was referred to the Deputy Commissioner of Hassan who sent it to the Amildar of Arsikere for enquiry and report. Before any enquiry was held, the appellant, in October 1890, presented a petition to the Deputy Commissioner praying for his hereditary office of Shanbhog; and this was likewise referred to the Amildar.

6. Meanwhile, in April

1891

1891, Krishnappa, son of the dismissed Shanbhog Siddappa, represented to the Deputy Commissioner as well as the Amildar that it was very unjust that he should be deprived of his hereditary huck on account of his father's offence, that nothing was mentioned with regard to the huck in the sentence pronounced against his father by the Magistrate, that his claims were stronger than those of Shankarin as he belonged to the eldest line of the family, that he was competent and that therefore he should be appointed Shanbhog in place of the non-hereditary Ramanappa.

7. The Amildar submitted his report, with the genealogical table of the family of the claimants, given in the margin, as called for by the Dy Commissioner's Order No. 182 dated 4th May 1892 to the effect that the Petitioner Shankaria was Siddappa's brother, and, that his father and Siddappa had been divided before the latter was convicted, as may be inferred from the Kararnama dated 8th Sept produced by the Petitioner, that he was not then able to do the duty of Shanbhog and yet his claims might be taken into consideration, as he was the nearest and also innocent.

8. Upon this the Deputy Commissioner passed Order No. 1515 dated 12th February 1892

No: 1657 Dt: 12-2-92

Kittia (dead)
Shankaria (dead)

1. Siddappa (living. convicted of misappropriation of Govt money)
Krishnappa (living)

2. Kuttannankaria (living)
Kankin (aged 6 years)

3 Kittia (dead)
Shankaria (the present appellant, aged 16 years)

1892 that he could not interfere in the matter in favour of Shankaria as the present Shanbhog Hasanappa, though not a hereditary, was confirmed in the appointment by the Officer of the late Hassan Sub-Division.

8. The appeal is against the above order.

9. The appellant contends—

(a) that Hasanappa is a stranger and has no hereditary claim to the office and he is unjustly kept there by Govt.

(b) that Nirlingappa, his superior hereditary lost his hereditary for fieldappa offence; and his uncle Puttasankaria is illiterate and consents to the appellant being appointed (vide his deposition before the

the amildar in 18th Oct. 1892 (10)

(c) and that therefore the right next huckdar should be appointed to his hereditary office in place of Ramappa.

11. Hirabasappa contends that the Deputy Commissioners Order No. 13, dated 8th September 1888, depriving him of his hereditary huck on account of his father's offence is unjust and therefore he should get the office as his claims are superior to Shankarii.

11. Ramappa states that he is not at all a huckdar to the office but that he was permanently appointed by the Government.

S.V.
15/7.

× Please see Petn: No. 391, dated 9th August 1892 addressed to this office -

I. R. 195-

Mysore

Between H. H. the Council

Petitions -
No 323 of 92
No. 391 of 1892

Petitioners -
1. Shankaraya
2. Krishnappa -
of Bandekere, Arsikere Tk.

Case under Rule I of the Addl. Rules of the Council Chamber & Standing Office.

Sidlappa, 2nd Petitioner's father & 1st Petitioner's eldest uncle was Shanbhog of the Bandekere Zilla of the late Banavar) & the Arsikere Taluk. In 1880 he was convicted of the offence of Criminal breach of trust by a public servant & sentenced to undergo rigorous imprisonment for 12 months

Hearing - 24th Nov 92
Question whether
Native.
CP
17/11/92

Scott — Pattison

Krishnappa
Concerned with his father.

Shankaraya
Native of Bangalore
Arrived on 1875

and to pay a fine
of Rs 100. In September
1881 Siddappa was
in reply to his petition
informed that Ramla
he nor his son would
be given the Shanbhogi
office as the offence
committed was of
such a nature. One
Narappa of Bajad
was at first appointed
temporarily to the office
but was confirmed
in January 1886.

In 1888 Ramam-ma
1st Petni's mother & in
October 1890 the 1st
Petni herself claimed
the Shanbhogi hak,
the former also representing
that the 1st Petni should
be appointed Shanbhog.

In 1891 the 2d
Petni also claimed
the Shanbhogi for
herself.

The Dy Comr: in July 1892
in the Case of the 1st
Petr Shenkarappa
& in June 1892 in
the Case of the 2d Petr
Krishnappa, declined
to interfere.

The Petitioners severally
appeal against the
above Orders.

The 1st Petitioner claims the
Office on the ground that
(1) the present incum-
bent Narrappa is
a stranger & has
no hak to the Office
(2) the 2d Petr
has lost his hak
& that the 1st Petr
is the next hakdar

The 2d Petitioner bases
his claim on the
ground that -
the Dy Comrs order is
unjust & that the

Petitioners v. The Collector. (1).

The point for decision is - Whether the present incumbent should be removed at the instance of the Petitioners

The reasons given by the Dy. Com. for declining to interfere are - M. Krishna Murthi Dy. Com. has ordered in November 1881 that the 2d. Petr. could not get the Office - and M. Anandarao Dy. Com. has confirmed the present Shanbhog Ramappa in June 1886.

V 31/8/87

195-71 (7)

Mr Nr 323 } of 1891-92
391 }

Apls

1 Sankanak
2 Kreshnapha
of Uendekerd
Arockawdalad

Resps

Naranapha,

1st Apltt uncle, & 2d apltt father

Rodolapha was convicted of
breach trust & dismissed from office in 1880,
& Respt, who is a stranger to the family, was
appointed in his place ~~in 1880~~ in 1880 & confd
in 1886. —

1st apltt who is the deceased man's son of the
was then a minor, he being not 18 years old. His
family divided from the deceased man so long
as 1895. He now claims the office, & so
does the 2d Apltt who is still living with the
father. The Advt Comrs refused to comply

with the request on the ground
that the Respt had been confirmed
long ago. —

The Govt consider that the 2d applt
is the proper heir, but as he cannot be
appointed while his father is alive, they
direct that the Office be granted in
the name of the 1st applt temporarily.
When the deceased man dies, the
Office may be given to the 1st applt.

Respt should not have been confirmed
in the Office. —

25/May 22

Rs.
No. 49

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Petition No. 523
dated 23rd April/92 received at the
Dewan's Office from Shankaria h,
son of Pattiah, ~~Shekdar~~
~~Shanbogue~~ of Bendekere
Arsikere Taluk, praying that
he may be appointed Shanbog
in place of Ramappa, who
has no hereditary right to office
is forwarded, together with its one
enclosure, to the Deputy Commissioner
Hassan District, for submission
of Proofs and a full Report of
the facts of the case and on the
points taken in the petition
2. The petn should be returned

By Order,

Draft

Chief Secretary.

BANGALORE,
25 May 1892.

(1) Stamp Correct.
(2) Appeal in time
(3) Order proper
(4) Rule I (a) (1).

Cullfn Roll
Rly 18/5/92

(General Serial No. 30)

OFFICE OF THE
3838
4 JUL 92
1892 P. 19
DEWAN OF MYSORE

Mr. V. Shrauti
for Recording
the 15th inst.
H
8/7/92

Returned to Mr
Conjeeveram
Venkata Narasu
Lajpat with
Petn No 391
from Krishnappa

H
7/8/92

From

The Dy Commissioner
Kolar District

To

The Chief Secretary to the Dewan
of Mysore

Dated 25th June 1892

Despatched

Received

Enclosures No/4/file 2/-.

General No. 199 of 1892
No. 5

In reply to his 49 dated 25th May 1892

SUBJECT

Submitting report on the petition from Shanbhogs of Bendekere Amritheer Taluk, praying that he may be appointed Shanbogue in place of Ramanjappa

---

References (to be entered only in the Dewan's Office).

Petn Bor Mark 2/7/92
Read 6/7/92

No. 199
5

Deputy Commissioner's Office,
Kapan District.

Dated, Camp Pélur, 25th June 1892.

From,

The Deputy Commissioner,
Kapan District.

To

The Chief Secretary to the
Government of Mysore
Bangalore

Sir,

In reply to your official Memo
No. 49 dated 25th May 1892, for-
-warding petition No. 323 of the 23rd
April 1892, from Shankaraiya son
of Puttaiya of Bendekere, Hassan
Taluk, praying that he may be
appointed Shanbogue in place of
Narasappa, who has no land to
the office, I have the honor to
report

report that in the year 1880 —
Siddappa uncle of the petitioner
Shankarappa who was Con-
victed of misappropriating
Government money, was dis-
missed from service.

2 — Siddappa's minor son
Krishnappa presented a petition
to the Amildar of the Taluk Bana-
vara Taluk praying that he
may be appointed Shanbogue
in the room of his father and
that a Gumasta named by
him be nominated to do the duties.
(Vide his petition Dated 10th September
1880).

3 — Siddappas younger brother
Puttashankaraiya deposed before
Amildar on the 14th September
1880 that his brother's son Krishnappa
be

be registered as Shanbogue and himself as Gumasta if Government were not pleased to comply with the above request he may be registered as Shanbogue and his "dayadi" Sivanaiya be appointed as Gumasta till he gets himself acquainted with the work.

4. On the 18th October 1880, Siddappa's wife appeared before the Amildar of the late Harnahalli Taluk and requested that her son Kistnappa be registered as Shanbogue and one Bélan-Karanja be appointed as Goumasta during the minority of her son.

5. Soon after his release from Jail Siddappa himself appeared before

before the Huildar of Hanmahalli on the 26th June 1881 and prayed that his minor son may be registered as Shanbogue and one Gopalaraya be nominated as his Goumasta.

6. The Huildar reported the matter for the orders of the Deputy Commissioner (vide report No 432 Dated 26th June 1881). The Huildar having received no final orders from the Deputy Commissioner on the subject, made another report No 1704 Dated 8th November 1881 stating that Puttashankaraiya brother of the disunited Shanbogue being illiterate and unfit for the post of Shanbogue. one Nara-nappa of Bagadi, who was well acquainted with the work was directed

directed pending sanction of the Deputy Commissioner to do duties of the office.

7. — In according sanction to the above recommendation, Mr. Krishnamurti, the then Deputy Commissioner directed the Amildar to make enquiries into the claims of those who have got back to the office and report the result. (vide order No 1104 Dated 12th November 1891. He also forwarded for information and guidance, Copy of an endorsement given to the dismissed Shanbogue Siddappah of the Amildar which was to the following effect:-

That you and your heirs have forfeited all claims to the office for the offences you have committed. Neither you nor

Nor I am sure will set the aft.
-fointment Dated 8th September
1891 Rs 137.-

8. - Puttashamiah Sarangi hearing
the above order which was given
to his brother, presented a petition
to this office, praying that his claims
to the post of Shanbogue may be
taken again into Consideration.

9 - Mr. Ananda Row, the
then Officer of the Hassan Sub
division passed an order to the
Amildar of the Arsikere Taluk
directing him to inform Putta.
Shankarayi that his Claims
would be taken into Considera.
-tion if he qualifies himself for
the post, till then Narayappa,
who had no luck to the Shanbogue
Should

should continue to do the work till some legal enactment would prevent himself (vide order No 1003 Dated 23d March 1883).-

10. — On the 3d September 1884

* No 561 Mr. Maunda Row issued an order to the Muildar of Trichinopoly directing him to report as to whether Naranappa, who was temporarily appointed to do the duties of Shanbogue, would be willing to give security for the post, and if so, he would be recommended to the Dewan for confirmation.-

11. The Muildar made a report stating that Naranappa had given security for Rs 150 and the amount deposited in Government

(-4-)

Government Savings Bank.
Upon which, Narasappa was
Confirmed as Shanbogue of
Bendekere (vide this office order
No. 311 Dated 28th January 1886).

12. On the 10th November 1888,
one Narasamma wife of the
deceased Krishnappa the younger
brother of the dismissed Shan-
-bogue Siddappa presented a
petition to the Dewan praying
that her minor son Shankaraiya
may be appointed as Shanbogue
of Bendekere, she being one of
the Heirs to it. The petition
above referred to, which was
sent to this office for disposal,
was forwarded to the Amildar
for enquiry and report. The
Amildar

Huniddar after taking depositions from the parties concerned forwarded the same to this office for orders. (vide report No. 107 dated 5th March 1891).

13. As to the genealogical table showing the names of Huniddars not having been received with the above report the Huniddar was asked to prepare one and submit it to this office.

14. The table which was submitted by the Huniddar with his report No. 107 dated 6th January 1892, is given in the margin for ready reference.

15. Having perused the entire proceedings in the case, I have an endorsement to Shankaraya

son

Puttaraya (dead).

Shankaraya (dead) — 2nd son — Subbarshankaraya (living) — Kadaraya (6 years of age living).

Shankaraya (dead) — 3rd son — Chikkaraya (dead) — Shankaraya (aged 16 years) the present Patkhan

1st son Siddalingappa (living) — Kadaraya (living) — Chikkaraya (living) — Siddalingappa (living) — Kadaraya (living) — Kadaraya (living)

son of Narasamma stating that as Narayappa was confirmed in the appointment by the officer of the late Hassan Sub division, I could not interfere in the matter.

16. Upon this endorsement Shankarappa has now preferred an appeal to Government.—

17. The entire proceedings in the case together with the petition forwarded with your memo under reply are herewith submitted.—

I have the honor to be

Sir,

Your most obedient servant;

Asst Commissioner
Hassan District

JCB

(General Serial No. 32.)

1892.

No. 391

Name of Petitioner. Krishnayya

Village. Bendekere

Taluk. Arsikere

District. Hassan

Date of Arzi. 9th August 92

Date of Receipt. 13th August 92

Date of Disposal.

No. of Enclosures. 2.

(1) Stamp sufficient.
(2) Copy of Instr. produced
(3) Appeal in time
(4) Rule I cl. (1) of the Addl. Rules

Call for Proc. with a report
RD.
K
23/8/92

Proc. Received
Explanation called for
Vergeese & Pandu
Karanga's Report
Clearing the
Same Thereby

Submitted for
Council with
Precis & Memo
prepared in the
Case of Ramchandra
Rajah. (Ref. to RD. 323
of 1892)
K 31/8/92

ABSTRACT.

Petitioner presented a petition to this office about — his hereditary office of Shanbhog of Bendekere and he received Endorsement — No. 46 of 24. 4. 91 that he should represent the Misrepresentation to the Commissioner's order No 38 of against which he now appeals and prays that he may be appointed Shanbhog.

The Commissioner's order now appealed against is as follows. — On 12. 11. 87 the Assistant No. 1104 of 87 appointed — Ramachandra, the son of the Shanbhog that was dismissed for misappropriating Govt money cannot get —

[redacted] to post. And subsequently
Mr. T. Ananda Rao, the then
Dy Commr passed order No. 311
dated 28.1.82 to the effect
that the present Standing Parade
was confirmed. Therefore he
cannot pass an order to
appoint you in place of Rajagopa
who does duty at present.

22nd June
1892

13-8-92

391/R

[illegible]

Before the Government of *His Highness* the Maharaja of Mysore.

Petition
~~Appeal~~ No. 323 of
" 391 } 1891-92.

Appellants.

1. Lakshmikantha
2. Krishnappa
of Bandchere,
Krishnarajpet Taluk.

Vs.

Respondent.

Thimmappa.

refused to comply with the request, on the ground that the Receipt had been confirmed long ago.

3. The Govt consider that the 2nd Appellant is the proper person, but as he cannot be appointed while the Father is alive, they direct that the office be registered in the name of the 1st Appellant temporarily. When the deceased man dies, the office may be given to the 2nd Appellant.

Respondent should not have been confirmed in the office.

By Order

Re-Secy.

MSM 1/12/92

for Chief Secretary.

Ans 1/12

No 76 12
Pet F. 214-92

Copy to the Govt, Madras — sent, with the enclosures received with his

No 193 dt 20th June 1892.

L.R. 193-91-4

By Order

MSM 1/12/92

for Chief Secretary

1/12

1/12

Ans 1/12

2 8 9 9 0 0 9 2
2-12-92

A.A. No. 21-391

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
Nov 1892.

Endorsement granted to Respondent Narasimhaiya.

in reply to his Petition Registered No. 391 dated 9th Aug/92.

Petitioner is ~~informed that~~ referred to the Deputy Commissioner to whom orders have been issued.

2. The encls: are returned.

1/12.

"By Order,"

Re-draft. 1/12/92

for Chief Secretary.

Mysore Govt. Central Press, Bangalore.—5-7-92—1000.

Sent issued 1/12/92

2 [illegible]
2-12-92

A.V.No. 9-323-

MYSORE DEWAN'S OFFICE,
PETITION DEPARTMENT,
[illegible] 1892.

Endorsement granted to [illegible] of Bendekere, Karkala,
in reply to his Petition Registered No. 323 dated 23rd April 1892.

Petitioner is ~~informed that~~ referred to the Deputy Commissioner, South Kanara for information and necessary action. The papers herewith sent may be returned.

2. The encls: is returned.

"By Order,"

Re-draft.

[illegible] 1/12/92
for Chief Secretary.

[illegible]

Mysore Govt. Central Press, Bangalore.—5-7-92—1000.

[illegible] issued 1/12/92